PART IV

SECTION—1-A

CENTRAL BILLS AND REPORTS OF SELECT COMMITTEES THEREON

DEPARTMENT OF LAW AND PARLIAMENTARY AFFAIRS.

NOTIFICATION.

No. LAW 96 LCA 68, Bangalore, dated 30th—31st May 1969.

The Governor of Mysore is pleased to order that the Report of the Joint Committee on the Constitution (Amendment) Bill, 1967 (Bill No. 10-B of 1967), which has been published in the *Gazette of India*, Extraordinary Part II, Section 2, dated 22nd July 1968 be republished in the *Mysore Gazette*, for general information.

H. SUBBA RAO,
Under Secretary to Government,
4 *Dept. of Law and Parliamentary Affairs.*

LOK SABHA

The following report of the Joint Committee on the Bill further to amend the Constitution of India was presented to Lok Sabha on the 22nd July, 1968:—

COMPOSITION OF THE COMMITTEE

Shri R. K. Khadilkar—*Chairman*

MEMBERS

Lok Sabha

2. Shri R. S. Arumugam
3. Shri N. C. Chatterjee
4. Shri Suresnoranath Dwivedy

5. Shri Ram Krishan Gupta
6. Shri S. M. Joshi
7. Shri Kameshwar Singh
8. Shri Krishnan Manoharan
9. Shri D. K. Kunte
10. Shri J. Rameshwar Rao
11. Shri V. Viswanatha Menon
12. Shri Mohammad Yusuf
13. Shri Jogal Mondal
14. Shri H. N. Mukerjee
15. Shri Nath Pai
16. Shri P. Parthasarthy
17. Shri Deorao S. Patil
18. Shri Khagapathi Prahani
*19. Chaudhari Ranbhir Singh
20. Shri K. Narayana Rao
21. Shri Mohammad Yunus Saleem
22. Shri Anand Narain Mulla
23. Shri Dwaipayan Sen
24. Shri Prakash Vir Shastri
25. Shri Digvijaya Narain Singh
26. Shri Sant Bux Singh
27. Shri Sunder Lal
28. Shri V. Y. Tamaskar
29. Shri Tenneti Viswanatham
30. Shri P. Govinda Menon

Rajya Sabha

31. Shri Chitta Basu
32. Shri M. V. Bhadram
33. Shri Kota Punnaiah
34. Shri M. P. Bhargava
35. Shri K. Chandrasekharan
36. Shri A. P. Chatterjee

*Appointed on the 22nd December, 1967 *vice* Shri K. Hanumanthaiya resigned.

37 Shri J Ramdas Paulatram
38. Shri Ram Niwas Mirdha
39. Shri . H. Valimchmed Momin
40. Shri G. R. Patil
41. Shrimati Yashoda Reddy
42 Shri Jogendra Singh
43. Shri Rajendra Pratap Sinha
†44. Shri N.R. Muniswamy
†45. Shri Banka Behary Das.

REPRESENTATIVES OF THE MINISTRY OF LAW

1. Shri V. N. Bhatia *Secretary, Legislative Department.*
2. Shri K. K. Sundaram, *Jt. Secretary and Legislative Counsel*

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary*

REPORT OF THE JOINT COMMITTE

I, the Chairman of the Joint Committee to which the Bill‡ urther to amend the Constitution of India was referred having been authorised to submit the report on their behalf, present their Report, with the Bill as amended by the Committee, annexed thereto.

2. The Bill was introduced by Shri Nath Pai in Lok Sabha on the 7th April, 1967. The motion for reference of the Bill to a joint Committee was moved in Lok Sabha by Shri P. Govinda Menon, Minister of Law on the 2 rd June

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**Ceased to be a member of the Joint Committee w.e.f. 2nd April, 1968 on his retirement from Rajya Sabha and was reappointed by Rajya Sabha on the 10th May, 1968.

†Appointed on the 10th May, 1968 *vice* Sarvashri J. Sivashanmugam Pillai and Trilok Singh who ceased to be members of the Joint Committee w.e.f. 2nd April, 1968 on their retirement from Rajya Sabha.

‡Published in Gazette of India, Extraordinary, Part II, Section 2, dated the 7th April, 1967.

1967. The motion was discussed on the 23rd June, 7th and 21st July and 4th August, 1967 and adopted on the 4th August 1967.

3. Rajya Sabha discussed and concurred in the said motion on the 14th August, 1967.

4. The message from Rajya Sabha was published in the Lok Sabha Bulletin, Part II, dated the 21st August 1967.

5. The Committee held fifteen sittings in all.

6. The first sitting of the Committee was held on the 7th September, 1967 to draw up their programme of work. The Committee felt that in view of the importance of the Bill they should hear every possible point of view on the subject. The Committee at this sitting, therefore, decided that a Press Communique should be issued advising public bodies, Chambers of Commerce, Organisations Associations and individuals who were desirous of submitting their suggestions or views or of giving evidence before the Committee in respect of the Bill, to send written memoranda thereon for the purpose. The Committee also decided to invite the views of all the State Governments Supreme Court, all High Courts, all Bar Councils representative all-India Trade Union Organisations, the Indian Law Institute, the Institute of Constitutional and Parliamentry Studies, Indian Society of International Law, incorporated Law Society and International Commission of Jurists, on the provisions of the Bill and to inform them that they could also give oral evidence before the Committee, if they so desired.

7. 35 memoranda/representations were received from different States/High Courts/Bar Councils/associations/individuals.

8. At their second to eighth sittings held on the 23rd to 27th October, 18th and 25 November, 1967, respectively, the Committee heard the evidence given by ten eminent

legal and constitutional jurists and representatives of associations.

9 The Report of the Committee was to be presented by the first day of the Third Session. As this could not be done, the Committee at their second sitting, held on the 23rd October, 1967, decided to ask for extension of time for presentation of their Report upto the last day of the Third Session. Necessary motion was brought before the House and adopted on the 14th November, 1967. At their eighth and tenth sittings held on the 25th November, 1967 and 29th January, 1968, the Committee decided to ask for further extension of time upto the first day of Fourth Session and again upto the first day of the Fifth Session which were granted by the House on the 30th November, 1967 and on the 13th February, 1968, respectively.

10. The Committee have decided that the Evidence and the Statement containing a gist of main points made by the witnesses in their evidence given before the Committee should be printed and laid on the Tables of both the Houses.

11. The Committee considered the Bill clause-by-clause and implications of the various proposed amendments at their eleventh and tenth sittings held on the 27th and 29th January, 1968.

12. At their eleventh sitting held on the 11th May, 1968, the Committee decided to take up further consideration of the Bill at their sittings to be held at Bangalore, subject to the approval of the Speaker. The Speaker before whom the matter was placed kindly consented to the sittings being held in Bangalore.

The Committee accordingly met in Vidhan Soudha, Bangalore from the 10th to 12th July, 1968 to resume clause-by-clause consideration of the Bill. At their sitting held on the 11th July, 1968, the Committee appointed an 11-member sub-Committee to draw up an agreed draft of the amendments to be made in the Bill in the light of

oral evidence, written memoranda and discussions. At their sitting held on the 12th July, 1968, the Committee approved the draft submitted by the sub-Committee and adopted the Bill as amended subject to minute of dissent, if any, that might be given by the members.

13. The following changes are proposed in the Bill :

Clause 1 and Enacting Formula: The amendments made therein are of a consequential nature.

Clause 2: (i) With a view to making the intention clear that article 368 deals with the substantive power of amendment rather than with the procedure of amendment, the marginal heading to article 36 has been suitably amended. The change made in sub-clause (1) of clause 2 of the Bill is only of a drafting nature.

(ii) The Committee feel that, in view of the importance of Fundamental Rights, State Legislatures should also be associated with the amendment of the provisions contained in Part III. They have accordingly brought Part III within the purview of the proviso to article 368. Henceforth, all constitutional amendments relating to Part III would also have to be ratified by the Legislatures of not less than one-half of the States.

(iii) The Committee have added a new sub-clause (3) providing that nothing contained in article 13 shall apply to any law made by Parliament in pursuance of article 368.

14. The Committee considered and adopted the Report on the 13th July, 1968.

15. The Joint Committee recommend that the Bill as amended be passed.

BANGALORE;
The 13th July, 1968
Asadha 22, 1890 (Saka)

R. K. KHADILKAR
Chairman,
Joint Committee.

MINUTES OF DISSENT

I

After having had the benefit of the evidence and discussions I am of opinion that the Bill as introduced in Lok Sabha on 7th April, 1967 by Shri Nath Pai, M.P. does not require any change of a substantial or material nature.

2. The Committee has suggested 4 amendments, and they relate to:—

(1) the enacting formula,

(2 the Marginal Note,

(3) a reference to Article 13 so as to take away law enacted in pursuance of Article 368 from out of the ambit of law under Article 13, and

(4) a reference to Part III of the Constitution possibly so as to bring any amendment abridging or curtailing fundamental rights within the scope of the provision which require a law of that nature passed by Parliament to be ratified by the legislatures of not less than half of the States.

2. So far as the amendments proposed to the enacting formula are concerned, they are only consequential to the passage of time since the introduction of the Bill, '18th year' of the Republic becoming '19th year', and '1967' being changed into '1968'.

4. The marginal note is being changed from 'procedure for amendment of the Constitution' to 'power to amend the Constitution' That is consequential to clause 2 of the Amendment Bill. Although for the purposes of the power the content of the Article and not the marginal note is the relevant factor and therefore an amendment of the marginal note may not be absolutely necessary, even then the amendment seems proper and justified.

5. So far as the reference to Article 13 is concerned it really does not help, although here again there may not

be any harm on account of the provision now proposed in the report.

6. The majority judgement in Golak Nath's case has held on three points so far as the future is concerned :

(1) The power of Parliament to amend the Constitution is derived from power to legislate contained in Articles 2 5, 246 and 248, Article 368 being procedural ;

(2) Amendment is law within the meaning of Article 13, and therefore any amendment taking away or abridging fundamental rights is void ; and

(3) Parliament will have no power from the date of the decision to amend any of the provision of Part III so as to take away or abridge fundamental rights.

The Bill we considered amply meets point No. 1. But so far as point Nos. 2 and 3 above are concerned the Supreme Court alone by another judgment can possibly change the position. So even though we may now say that amendment in pursuance of the amended Article 368 is an amendment by Parliament not in pursuance of its legislative powers but in pursuance of its constituent power specifically conferred by Article 368, the Supreme Court may still hold that this Constitutional amendment itself is hit by Article 13 which does not exclude any type of law. Any way the constituent power that is exercised by Parliament in pursuance of the amended provision would undoubtedly give a new force to this argument that a Constitutional amendment in pursuance of constituent power cannot come within Article 13(2) and law as referred to by it. Therefore although this amendment had been by and large proposed in the form of a non obstantive clause, the provision as contained in the Bill as reported by the Joint Committee is also acceptable to me.

7. However my objection to the 4th amendment proposed referred to in clause ii) of Clause 2) (c) in the Bill as reported by the Joint Committee is of a fundamental

nature. Under the proviso to Article 368 as it stands now, the following are the provisions which if amended are subjected to ratification by at least half of the State legislatures, namely, election of President, manner of election of President, extent of executive power of Union, extent of executive power of States, High Courts for Union Territories, the Union Judiciary, the High Courts in the States, Legislative relations between the Union and the States, subject of laws made by Parliament and by the Legislatures of States as contained in Union list and concurrent list, the representation of States in Parliament and the provisions of Article 368 itself. The framers of the Constitution has therefore followed a clear scheme in the matter of ratification by the States. It is only when Parliament amends any provision of the Constitution touching a matter which concerns the States or both the States and the Centre that ratification is necessary. In the matter of amendments of Constitutional provisions pertaining to Parliament, or matters relating to finance, property, contracts and suits, or elections or special provisions relating to certain classes including the Scheduled Castes and Scheduled Tribes and Anglo Indians contained in Part XVII, or the official language, or the emergency provisions Parliament's power to amend is not subjected to ratification by the States. In the proviso to article 368 as it stood all these years, there has been no reference to Part III and no Constitutional amendment previously which took away or abridged fundamental rights was ever thought of as one to be subjected to ratification by the States. By now suggesting that any amendment seeking to make any change in Part III of the Constitution should also be included in the proviso to Article 368 is to make a fundamental deviation from the very scheme of things adopted in the proviso to Article 368.

8. It would also appear that the proposal to bring any amendment relating to Part III within the scheme of the proviso would be really outside the province of this Amendment Bill. It will be seen from the objects and reasons appended to the Bill as introduced in the Lok Sabha and

from the evidence that was led before the joint Committee that the simple purpose of this Bill is to restore the position anterior to the decision of the Supreme Court in Golak Nath's case. This Bill does not evidence an attempt to examine the propriety of the various Constitutional provisions including those in Article 368 and the question is whether original contributions should be made at this stage by amendments of a far reaching nature and departing from the very scheme of things adopted in the Constitution. The provisions as they stand now in Article 368 and as they were construed in Shankari Prasad's case and Sajjan Singh's case by the Supreme Court and which was considered by all including Parliament as the position prior to Golak Nath's case are neither too rigid, nor too flexible or easy, in the matter of actual amendment of a Constitutional provision. If the membership of the Lok Sabha is 520, a minimum of 261 should be present and voting for the purposes of carrying a Constitutional amendment. This is so if 261 members alone are present. Suppose there are 500 members present in the Lok Sabha at the time of voting on a Constitutional amendment, in that case a minimum of 333 members should vote in favour of the Constitutional amendment, if the amendment is to be carried. One may ask whether there are not anomalies in this procedure. The answer is that there are anomalies in everything and even in the so-called perfect things. Let us take for example the anomaly in the results of general elections. In a particular constituency one candidate gets 14 000 votes, the other gets 10,000 votes and a third gets 8,000 votes. The candidate who gets 14,000 votes is declared elected, even though in a total electorate of 32 000, a majority, that is 18 000, have not preferred this winning candidate. This anomaly can be reduced if the election is indirect and by the system of single transferable vote. But in practice it is just not possible to adopt this system for a large electorate. So even with the anomaly that when more members are present in Parliament, more have to vote if the amendment is to be carried, one can clearly see that the result of the anomaly is certainly to secure that constitutional amendment is

carried only with a large consensus amongst Parliament members present. The further question is whether the minimum of security necessary for guarding against hasty or over-easy amendments is maintained. That is certainly maintained in that in a House of 520, at least 261 members must be present and voting in favour of the amendment if the amendment is to be declared carried.

9. No doubt, and in a way, fundamental rights are permanent and sacrosanct. But we have got to view even fundamental rights against the background of the requirements of a changing society in a swiftly moving world. In a dynamic society with changing pattern of socio-economic relationship, rights and obligations under review amendments become necessary from time to time. The majority judgment of the Supreme Court in fact refers to this aspect, and in passing has even referred to the possibility of convening a constituent Assembly for amending fundamental rights. The debates in the Constituent Assembly on the draft Articles 24, 301 and 305 clearly indicate that the entire Constitution including Part III was amendable by Parliament by following the procedure laid down in the Constitution, and there is no ratification by States in case of amendment to Part III provisions. The framers of the Constitution never meant to make any difference in the matter of procedure so far as amendments relating to Part III provisions or any other provision of the Constitution which could be passed by Parliament alone. The very fact that the Constituent Assembly did not deem it fit to include Part III in the proviso to Article 368 indicates that the framers of the Constitution did not intend to make any difference between amendment to provisions in Part III or to other amendments. It was never thought at the time of making the Constitution that a different procedure has got to be adopted while amending the provisions in Part III or while taking away or abridging the rights contained in Part III. Even a distinguished member of the Constituent Assembly who gave evidence before the Joint Committee stated that it was but true that when the Constituent Assembly came to the consideration of

Article 368 it did not think of excluding Part III from the purview of Article 368. This means that amendment to Part III rights by taking away or abridging was not at all treated as anything special.

10. Hon'ble Dr. B. R. Ambedkar on the 25th November, 1948 stated in the Constituent Assembly as follows :—

> "The Assembly has not only refrained from putting a seal of finality and infallibility upon this Constitution by denying to the people the right to amend the Constitution as in Canada or by making the amendment of the Constitution subject to the fulfilment of extraordinary terms and conditions as in America or in Australia, but has provided a most facile procedure for amending the Constitution. I challenge any of the critics of the Constitution to prove that any Constituent Assembly anywhere in the world has in the circumstances in which this country finds itself, provided such a facile procedure for the amendment of the Constitution."

11. The Prime Minister Hon'ble Sri Jawaharlal Nehru said on 11th November, 1948 in the Constituent Assembly as follows :—

> "While we want this Constitution to be as solid and permanent as we can make it, there is no permanence in Constitutions. There should be a flexibility. If you make anything rigid and permanent, you stop the nation's growth, the growth of a living vital organic people. In any event we could not make this Constitution so rigid that it cannot be adapted to changing conditions. When the world is in turmoil and we are passing through a very swift period of transition, what may be good to-day may not be wholly applicable to-morrow."

12. I may also refer to the following passage from Thomas Paine's "Rights of Man";

> "There never did, there never will, and there never can, exist a Parliament, or any description of man, or any generation of men, in any country possessed of the right or the power of binding and controlling posterity to the 'end of time', or of commanding for ever how the world shall be governed, or who shall govern it, and therefore all such clauses, acts or declarations by which the makers of them attempt to do what they have neither the reight nor power to do, nor take power to execute, are in themselves null and void. Every age and generation must be as free to act for itself in all cases as the ages and generation which preceded it.
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> "Every generation is, and must be, competent to all the purposes which its occasions require. It is the living, and not the dead, that are to be accommodated. When man ceased to be, his power and his wants cease with him; and having no longer any participation in the concerns of this world, he has no longer any authority in directing who shall be its governors or how its government shall be organized, or how administered."

13. I may also refer to the following passage from the minority judgement of Justices K. N. Wanchoo and V. Bhargava and G. K. Mitter in Golak Nath's case :—

> "The power of amendment contained in a written federal Constitution is a safety valve which to a large extent provides for stable growth and makes violent revolution more or less unnecessary. It has been said by text book writers that the power of amendment, though it allows for change, also makes a Constitution long-lived

and stable and serves the needs of the people from time to time. If this power to amend is made too rigid it loses its value as a safety valve. The more rigid a Constitution the more likely it is that people will outgrow it and throw it over-board violently."

14. It is inconceivable that any part of the Constitution should be considered immutable for all time to come, whatever the circumstances. In the life of a Nation situations may arise when the interests of individuals might have to be subordinate to the interests of the Society or the Nation as a whole, and to this end, fundamental rights of individuals might have to be curtailed.

15. The Joint Committee has certainly decided that the provisions of Part II are amendable and Parliament can take away or abridge the fundamental rights in Part III. On coming to that conclusion, the Joint Committee has rightly rejected the plea that an amendment taking away or curtailing fundamental rights in Part III should be subjected to ratification by a referendum, or that such an amendment should only be passed in a freshly created Constituent Assembly, or that the passing of such an amendment should be supported by a higher majority than that is provided now in Article 368. The flexible procedure for amendment that Dr. B. R. Ambedkar spoke of, the warning that Pandit Nehru gave when he said that even so far as fundamental rights what is good for to-day is not good for to-morrow and what we require is flexibility and not rigidity, the statement of Thomas Paine that every age and generation must be free to act, the statement of the Hon'ble three Judges of the Supreme Court led by the erstwhile Chief Justice of India at that time Mr. Wanchoo (J) that we have to guard against violent revolutions by providing easy methods of amendment, are forgotten. Particularly in the context of the swiftly changing social, economic and political conditions in this country, and the pace of change is likely to be only accelerated in future, and particularly from the stand point of maintaining and consolidating and

strengthening the integrity of this Nation as a whole in all spheres, the country requires a fairly easy method of amending the provisions in Part III of the Constitution also, whether the amendment relates to taking away or abridging rights contained therein. The method of circulation to States would cause unduly harsh restrictions in the amending procedure and would also undoubtedly delay the passing and implementation of the amendments. The Bill that was introduced was just for the purpose of restoring the country to the position that existed prior to Golak Nath's decision. The Joint Committee deliberated for quite a length of time and has now decided that the pre-Golak Nath position has to be restored. A revolutionary change is being proposed for the proviso to Article 368, but actually the clock of revolution is being put back. The Joint Committee wanted to avoid the effect of the decision in Golak Nath's case, but the effect of Golak Nath's decision has registered itself in another form in the report of the Joint Committee. I regret my inability to support the proposal that an amendment relating to a provision in Part III of the Constitution should be brought within the purview of the proviso to Article 368 so as to require ratification by at least half the number of State Legislatures.

ERNAKULAM;
July 15, 1968.

K. CHANDRASEKHARAN

II

It is with poignant regret I respectfully disagree with the majority view of the Members of the Joint/Select Committee.

2. I am totally opposed to the new clause (3) added in the amending Bill. It acts as an escape from restrictions against undue State's actions enacted in the Constitution itself. It postulates a feeling that this power is intended to be used occasionally on an experimental basis. The power of amendment should not be used for purposes of removing express or implied restrictions against the States. This visualizes an avoidance of a remote possibility of prospective or anticipatory overruling of the Supreme Courts of any law made in pursuance of this amendment of the Constitution. This is something unusual in the normal functioning of a supreme legislative body of any democratic country. It gives an impression to the society that the State is more capricious than an individual. Such attempts in violation of self imposed restrictions are unconstitutional and totally reactionary.

3. This amendment of the Article is primarily meant to exclude the word 'law' from the definition of the word 'law' in Article 13, clause (3) sub-clause (a) of the Constitution. The new sub-clause (3) of the amending Bill places all Constitutional amendments beyond the purview, scope and implication of Article 13 of the Constitution. This is something unheard of in the annals of the legislative field.

4. An amendment of the Constitution is itself a law and therefore to eliminate Article 13 of the amending Bill is beyond the competency of the Parliament and it will indirectly hit at Articles 32 and 226 of the Constitution from achieving an effective constitutional remedy. The Articles 32 and 226 of the Constitution are there to review the legislative enactment, regulations rules and other orders with a view to protect the rights of the citizens. They are there with unfettered powers for effective judicial remedy.

the expiry of that period, the State Government shall make its recommendations to the Central Government.

(4) The Central Government after making such further inquiry, if any, as it may think fit, may, by notification in the Official Gazette, direct that an entry shall be made in the appropriate Schedule against the said medical qualification declaring that it shall be a recognised medical qualification only when granted before a specified date, or that the said medical qualification if granted to students of a specified college or institution affiliated to any University shall be recognised medical qualification only when granted before a specified date or, as the case may be, that the said medical qualification shall be recognised medical qualification in relation to a specified college or institution affiliated to any University only when granted after a specified date.

22. Minimum standards of education in Indian medicine and Homoeopathy.—(1) The Central Council may prescribe the minimum standards of education in Indian medicine and Homoeopathy, required for granting recognised medical qualifications by Universities, Boards or medical institutions in India.

(3) Copies of the draft regulations and of all subsequent amendments thereof shall be furnished by the Central Council to all State Governments and the Central Council shall, before submitting the regulations or any amendment thereof, as the case may be, to the Central Government for sanction, take into consideration the comments of any State Government received within three months from the furnishing of the copies as aforesaid.

(3) Each of the committees referred to in clauses (*a*), (*b*), (*c*) and (*d*) of sub-section (1) of section 9 shall, from time to time, report to the Central Council on the efficacy of the regulations and may recommend to the Central Council such amendments thereof as it may think fit.

CHAPTER IV

THE CENTRAL REGISTER OF INDIAN MEDICINE AND HOMOEOPATHY.

23. **The Central Register of Indian Medicine and Homoeopathy.**—(1) *The Central Council shall cause to be maintained in the prescribed manner, a register of practitioners in separate parts for each of the systems of Indian Medicine and Homoeopathy to be knonw as the Central Register of Indian Medicine and Homoeopathy which shall contain the names of all persons who are for the time being enrolled on any State Register of Indian Medicine and Homoeopathy and who possess any of the recognition medical qualifications.*

(2) *It shall be the duty of the Register of the Central Council to keep and maintain the Central Register of Indian Medicine and Homoeopathy in accordance with the provisions of this Act and of any orders made by the Central Council, and from time to time to revise the register and publish it in the* Gazette of India *and in such other manner as may be prescribed.*

(3) *Such register shall be deemed to be a public document within the meaning of the Indian Evidence Act, 1872 (1 of 1872), and may be proved by a copy published in the* Gazette of India.

24. Supply of copies of State Register of Indian Medicine and Homoeopathy.— Each Board shall supply to the Central Council three printed copies of the State Register of Indian Medicine and Homoeopathy as soon as may be after the commencement of this Act and subsequently after the first day of April of each year, and each Board shall inform the Central Council without delay of all additions to and other amendments in the State Register of Indian Medicine and Homoeopathy made from time to time.

25 Registration in the Central Register of Indian Medicine and Homoeopathy.—The Registrar of the Central Council

may on receipt of registration of a person in a State Register of Indian Medicine and Homoeopathy or on application made in the prescribed manner by any person, enter his name in the Central Register of Indian Medicine and Homoeopathy, provided that the Registrar is satisfied that the person concerned is eligible under law for such registration.

26. Professional conduct.—(1) The Central Council may prescribe standards of professional conduct and etiquette and a code of ethics for practitioners of Indian medicine and Homoeopathy.

(2) Regulations made by the Central Council under sub-section (1) may specify which violations thereof shall constitute infamous conduct in any professional respect, that is to say, professional misconduct, and such provision shall have effect notwithstanding anything contained in any law for the time being in force.

27. Removal of names from the Central Register of Indian Medicine and Homoeopathy.—(1) If the name of any person enrolled on a State Register of Indian Medicine and Homoeopathy is removed therefrom in pursuance of any power conferred by or under any law relating to registration of practitioners of Indian medicine or Homoeopathy for the time being in force in any State, the Central Council shall direct the removal of the name of such person from the Central Register of Indian Medicine and Homoeopathy.

(2) Where the name of any person has been removed from a State Register of Indian Medicine and Homoeopathy on any ground other than that he is not possessed of the requiste medical qualifications or where any application by the said person for restoration of his name to the State Register of Indian Medicine and Homoeopathy has been rejected, he may appeal in the prescribed manner and sudject to such conditions, including conditions as to the payment of a fee, as may be prescribed, to the Central Government whose decision, which shall be given after consulting the Central Council, shall be binding on the State

Goverment and on the authorities concerned with the preparation of the State Register of Indian Medicine and Homoeopathy.

28. Provisional registration for practice.—If the courses of study to be undergone for obtaining a recognised medical qualification in Indian Medicine or Homoeopathy include a period of training after a person has passed the qualifying examination and before such qualification is conferred on him, any such person shall, on application made by him in this behalf, be granted provisional registration in a State Register of Indian Medicine and Homoeopathy by the Board concerned in order to enable him to practise Indian medicine or Homoeopathy, as the case may be, in an approved institution for the purpose of such training and for no other purpose for the period aforesaid.

29. Privileges of persons who are enrolled on the Central Register of Indian Medicine and Homoeopathy.—Subject to the conditions and restrictions laid down in this Act regarding practice of Indian medicine and Homoeopathy by persons possessing certain recognised medical qualifications, every person whose name is for the time being borne on the Central Register of Indian Medicine and Homoeopathy shall be entitled according to his qualifications to practice Indian medicine or Homoeopathy, as the case may be, in any part of India and to recover in due course of law in respect of such practice any expenses, charges in respect of medicaments or other appliances or any fees to which he may be entitled.

30. Registration of additional qualifications.—(1) If any person whose name is entered in the Central Register of Indian Medicine and Homoeopathy obtains any title, diploma or other qualification for proficiency in Indian medicine or Homoeopathy, which is a recognised medical qualification, he shall, on application made in this behalf in the prescribed manner, be entitled to have an entry of such other title, diploma or other qualification made against his name in the Central Register of Indian

Medicine and Homoeopathy either in substitution for or in addition to any entry previously made.

(2) The entries in respect of any such person in a State Register of Indian Medicine and Homoeopathy shall be altered in accordance with the alterations made in the Central Register of Indian Medicine and Homoeopathy.

31. Persons enrolled on Central Register of Indian Medicine and Homoeopathy to notify change of place or residence.—Every person registered in the Central Register of Indian Medicine and Homoeopathy shall notify any transfer of the place of his residence or practice to the central council and to the Board concerned, within thirty days of such transfer, failing which his right to participate in the election of members to the Central Council or a Board shall be liable to be forfeited by order of the Central Government either permanently or for such period as may be specified therein.

CHAPTER V

MISCELLANEOUS

32. Information to be furnished by Central Council and publication thereof.—(1) The Central Council shall furnish such reports, copies of its minutes, abstracts of its accounts, and other information to the Central Government as that Government may require.

(2) The Central Government may publish in such manner as it may think fit, any report, copy, abstract or other information furnished to it under this section or under section 20.

33. Commission of inquiry.—(1) Whenever it is made to appear to the Central Government at the Central Council is not complying with any of the provisions of this Act, the Central Government may refer the particulars of the complaint to a commission of inquiry consisting of three persons, two of whom shall be appointed by the Central Government,

one being a Judge of High Court, and one by the Central Council, and such commission shall proceed to inquire in a summary manner and to report to the Central Government as to the truth of the matters charged in the complaint, and in case of any charge of default or of improper action being found by the commission to have been established, the commission shall recommend the remedies, if any, which are in its opinion necessary.

(2) The Central Government may require the Central Council to adopt the remedies so recommended within such time as, having regard to the report of the commission, it may think fit, and if the Central Council fails to comply with any such requirement, the Central Government may amend the regulations of the Central Council, or make such provision or order or take such other steps as may seem necessary to give effect to the recommendations of the commission.

(3) A commission of inquiry shall have power to administer oaths, to enforce the attendance of witnesses and the production of documents, and shall have all such other necessary powers for the purpose of any inquiry conducted by it as are exercised by a civil court under the Code of Civil Procedure, 1908 (5 of 1908).

34. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Government, the Central Council or a Board or any committee thereof or any officer or servant of the Government or the Central Council or the Board aforesaid for anything which is in good faith done or intended to be done under this Act.

35 Power to make rules.—(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty

days which may be comprised in one session or in two successive sessions and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

36. Power to make regulations.—The Central Council may, with the previous sanction of the Central Government, make regulations generally to carry out the purposes of this Act, and, without prejudice to the generality of this power, such regulations may provide for—

(*a*) the manner of election of the President and the Vice-Presidents of the Central Council;

(*b*) the management of the property of the Central Council and the maintenance and audit of its accounts;

(*c*) the resignation of members of the Central Council;

(*d*) the powers and duties of the President and Vice-President;

(*e*) the summoning and holding of meetings of the Central Council and the committees thereof, the times and places where such meetings are to be held, and the conduct of business there-at and the number of members necessary to constitute a quorum;

(*f*) the functions of the committees constituted under section 9 or section 10;

(*g*) the tenure of office, and the powers and duties of the Registrar and other officers and servants of the Central Council;

(*h*) the appointment, powers, duties and procedure of inspectors and visitors;

(*i*) the courses and period of study of practical training to be undertaken, the subject of examination and the standards of proficiency therein to be obtained, in any University, Board or medical institutions for grant of recognised medical qualification;

(*j*) the standards of staff, equipment, accommodation training and other facilities for education in Indian medicine or Homoeopathy;

(*k*) the conduct of professional examinations, qualifications of examiners and the conditions of admission to such examinations;

(*l*) the standards of professional conduct and etiquette and code of ethics to be observed by practitioners of Indian medicine and Homoeopathy;

(*m*) the particulars to be stated, and the proof of qualifications to be given in applications for registration under this Act;

(*n*) the manner in which and the conditions subject to which an appeal under section 27 may be preferred;

(*o*) the fees to be paid on applications and appeals under this Act; and

(*p*) any matter for which under this Act provision may be made by regulations.

THE FIRST SCHEDULE

(*See* section 14)

Recognised medical qualifications in Indian Medicine granted by Universities, Boards or medical institutions in India

Name of University, Board or Medical Institution	Recognised medical qualifications	Abbreviation for registration	Remarks
1	2	3	4
PART I—AYURVEDA AND SIDDHA			
Andhra			
1. Board of Indian Medicine, Hyderabad, A. P.	Graduate of the College of Ayurvedic Medicine.	G.C.A.M.	...
	Graduate of the College of Integrated Medicine.	G.C.I.M.	...
	Ayurveda Visharad.	A.V.V.	...
	Bachelor of Ayurvedic Medicine and Surgery	B.A.M. & S.	...
2. Andhra Ayurveda Parishad, Vijayawada (Examining Body).	Vaidyavidwan	...	...
3. Sbri Venkateswar Ayurveda Kalasala Vijayawada, Krishna Distt., A. P.	Ayurvedalankara	...	...
	Ayurveda-Kalanidhi	...	...

1	2	3	4
*4. Venkateswar Ayurveda Kalasala, Vijayawada, A. P.	Diploma in Ayurvedic Medicine.	D.A.M	...
5. Sri Rangacharya Rammohan Ayurvedic College, Guntur, A. P.	Ayurveda Praveen	...	.
Assam			
6. Board of Ayurvedic Medicine, Assam.	Diploma in Ayurvedic Medicine and Surgery.	D.A.M.S.	...
Bihar			
7. State Faculty of Ayurvedic and Unani Medicines, Patna, Bihar	Graduate in Ayurvedic Medicine and Surgery	G.A.M.S.	From 1953 on wards
8. Government Ayurvedic School, Patna, Bihar (Former).	Ayurvedacharya	...	...
9. Government Ayurvedic College, Patna, Bihar	Ayurvedacharya	...	..
10. Sanskrit University Dharbhanga; Bihar	Ayur vedacharya	...	...
	Pranacharya	...	...
Delhi			
11. Ayurveda and Unani Tibbia College, Delhi.	Ayurvedacharya Dhanwantri	...	Up to 1956.
	Bhishagacharya Dhanwantari.	...	Up to 1956.
12. Board of Ayurveda and Unani Systems, Delhi Administration, Delhi.	Bachelor in Indian Medicine and Surgery.	B.I.M.S.	From 1962 to 1963
	Ayurvedacharya Dhanwantari. (Diploma in Indian Medicine and Surgery)	D.I.M.S.	... From 1956 to 1960
	Bhisagacharya Dhanwantari.	...	...

*This diploma of D.A.M. was substituted for the original diploma "Ayurveda Kalanidhi".

1	2	3	4
13. All India Ayurveda Vidyapeeth, Delhi.	Ayurveda-Visharad	...	...
	Ayurveda-Bhishak	...	...
	Vaidyacharya	...	...
	Prajnavaidya Pariksha	...	...
	Vaidya-Visharad	...	...
	Ayurvedacharya	...	...
14. Banwarilal Ayurveda Vidyalaya, Delhi.	Bhishgacharya	...	Upto 1958
	Ayurvedacharya	...	Do.
	Vaid-raj	...	Do.
15 Examining Body for Ayurvedic and Unani Systems of Medicine, Delhi.	Bachelor in Indian Medicine and Surgery.	B.I.M.S. (Day scholars)	...
	Ayurvedacharya Dhanwantari.	...	...
Gujarat			
16. University of Gujrat	Bachelor of Ayurvedic Medicine and Surgery.	B.A.M.S.	...
17. M. S. University, Baroda	Ayurveda Visharad	...	...
18. Faculty of Ayurvedic and Unani Systems of Medicine, Gujarat.	Graduate of the Faculty of Ayurvedic Medicine.	G.F.A.M.	...
19. Committee for Shuddha Ayurvedic Course, Gujarat, Ahmedabad.	Ayurveda Praveena	D.S.A.C.	...
20. Board of Indian Medicine, saurashtra.	Ayurveda-Visharad	...	...
21. Post Graduate Training Centre in Ayurveda, Jamnagar.	Higher Proficiency in Ayurveda,	H.P.A.	...

1	2	3	4
22. Sarvanamasa Dakshina Parikshaa Samiti, Baroda.	Ayurvedauttama	...	...
	Ayurveda-Madyama		
23. Rajakeeya Sanskrit Mahavidyalaya, Baroda.	Ayurveda-Visharad	..	...
24. Ayurveda Mahavidyalaya. Ahmednagar.	Ayurveda-Teertha	...	Up to 1942
25. U. P. Ayurveda Mahavidyalaya, Patan (Baroda State).	Grihit Ayurveda Shastra, Diploma in Ayurvedic Medicine.	D.A.M.	...
	Grihit Ayurveda Shastra.	L.A.M.	Up to 1942
Jammu and Kashmir			
26. Jammu and Kashmir University.	Bachelor of Ayurvedic Medicine and Surgery.	B.A.M.S.	...
Kerala			
27. University of Travancore/Kerala.	Bachelor of Ayurvedic Medicine.	B.A.M.	...
	Diploma in Ayurvedic Medicine.	D.A.M.	Till 1962
28. Government of Travancore-Cochin	Vaidyakalanidhi	...	...
29. Government Ayurveda College, Thripunithura; Kerala.	Sastra-Bhoosana Ayurveda.	...	...
30 Cochin Government	Vaidyabhoosanam	...	...
31 Travancore-Cochin Governments	Ayurveda-Bhoosanam	...	...
32 Travancore Government	Netra Vaidya-Visarada	...	...

1	2	3	4
33 Kerala Government	Diploma in Ayurvedic Medicine	D.A.M.	...
34 Travancore Government	Vaidya-Shastri	...	...
	Marma Vaidya Visharada	...	...
35 Keraleeya – Ayurveda Mahapathsala Shornur, Kerala	Vaidyapadan	...	...
36 Cochin Government	"The Certificate Visha Vaidya Training'	...	...
37 Madhava Memorial Ayurvedic College, Cannanore, Kerala	Vaidyavibhusanam	...	Up to 1963
38 Madhava Memorial Ayurvedic College, Ernakulam.	Ayurveda Sastry	...	Up to 1957
39 Ayurvedic College, Kottakal, Kerala	Arya Vaidyan	...	...
40 Arya Vaidya Patasala, Kottakal	Aryavaidya Diploma	...	...
41 Government Ayruvedic College, Tripuhithura	Ayurveda-Sastra-Bhusan	...	...
42 Board of Public Examinations, Cochin	Ayurveda Bhoosanam	...	...
43 Travancore Government	Diploma in Indigenous Medicine	D.I.M.	...
	Visha Vaidya Visarada	...	...
44 Madhava Ayurveda College, Eranakulam	Ayurveda Vidwan	...	Up to 1957
45 Travancore Siddha Vaidya Sangham, Munchira.	Diploma or Certificate in Siddha Medicine	...	May, 1947
Madhya Pradesh			
46 Jivaji Vishwavidyalaya, Gwalior.	Ayurvedacharya	B.A.M.S.	...
47 Indore Vishwavidyalaya, Indore	Ayurvedacharya	B.A.M.S.	...
48 Vikram Vishwavidyalaya, Ujjain	Ayurvedacharya	B.A.M.S.	...

1	2	3	4
49 Ravishankar Vishwavidyalaya, Raipur	Ayurvedacharya	B.A.M.S.	...
50 Board of Indian Medicine, Madhya Pradesh, (Madhya Bharat Region) Gwalior	Bhishagacharya	L.I.M.	From 1957—still cont.
51 Mahakoshal Ayurvedic Board, Jabalpur	Bhisagwara	L.A.P.	...
52 Board of Indian Medicine, Madhya Pradesh (Madhya Bharat Region), Gwalior	Ayurveda-Vignana-charya	A.V.M.S.	From 1958 still cont.
53 Government Ayurvedic College, Gwalior	Vaidyasastri	...	...
	Vaidya-wara Ayurveda-padhyaya	...	...
54 Ashtanga Ayurveda Vidyalaya, Ujjain	Vaidya-Vachaspati	...	...
55 Board of Indian Medicine, Gwalior	Sahayak-vaidya		
56 Govt Ayurvedic College, Raipur		B.A.M.S.	...
Maharashtra			
57 Nagpur University, Nagpur	Bachelor of Ayurvedic Medicine & Surgery	B.A.M.S.	...
58 Poona University, Poona	Bachelor of Ayurvedic Medicine & Surgery	B.A.M.S.	...
	Master of Ayurvedic Science	M.A.Sc.	...
59 Vidarbha Board of Ayurvedic and Unani Systems of Medicine, Maharashtra	Bachelor of Ayurvedic Medicine & Surgery	B.A.M.S.	...
60 Faculty of Ayurvedic and Unani Systems of Medicine, Maharashtra	Ayurveda Visharad	A.V.V. (Nanded)	..

1	2	3	4
61 Committee of Shuddha Ayurvedic Course, Maharashtra	Ayurveda Praveena	D.S.A.C.	...
62 Faculty of Ayurvedic and Unani Systems of Medicine, Bombay.	Graduate of Faculty of Ayurvedic Medicine.	G.F.A.M.	...
	Member of Faculty of Ayurvedic Medicine.	M.F.A.M.	...
	Ayurveda-Visharad	D.A.S.F.	...
63 Tilak Maharashtra Vidyapeetha, Poona.	Ayurveda-Visharada	A.V.V.	Before 1944.
	Ayurvidya-Parangat	A.V.P.	Before 1942.
64 Aryangal Mahavidyalaya, Satara.	Ayurveda Visharad	A.V.V.	Before 1942.
65 Ayurved Mahavidyalaya, Nagar.	Ayurved-Teerth	A.T.	Before 1942.
Mysore			
66 Board of Studies in Indian Medicine, Mysore, Bangalore.	Graduate Course of India Medicine.	G.C.I.M.	...
67 Committee for Suddha Ayurveda and Board of Studies in Indian Medicine, Mysore State	Ayurveda-Paraveena	...	...
68 Government Ayurvedic and Unani College, Mysore.	Ayurveda-Vidwat	L.A.M.S.	...
69 Board of Studies in Indian Medicine.	Ayurveda-Vidwat	L.A.M.S.	...
70 Central Board of Indian Medicine.	Ayurveda-Vidwat	L.A.M.S.	...
71 Taranatha Ayurveda Vidyapeetha.	Ayurveda-Vidwat	L.A.M.S.	From October 1953.

1	2	3	4
72 Committee or authority of the Mysore Maharaja's Sanskrit College (Ayurvedic section)	Ayurveda-Vidwat	...	Before 1909.
73 The Committee or authority of the Government Ayur-Vedic College.	Ayurveda-Vidwat	...	From 1909 to 1928.
74 Karnataka Ayurveda Vidyapeetha.	Bhishagwar	...	...
75 Prema Vidya Peetha Thungabadra.	Ayurvedachudamani	...	...
	Ayurveda Shiromani		...
	Bhibadinou		...
	Vaidya guru		...
76 Government Ayurvedic School, Mysore	...	A.M.S.	...
77 Government Ayurvedic School and College Mysore.	Licentiate of Ayurveda Medicine and Surgery	L.A.M.S.	...
Madras			
78 Government College of Indigenous Medicine, Madras.	Graduate of the College Integrated Medicine.	G.C.I.M.	Up to 195
	Licentiate in Indigenous Medicine.	L.I.M.	Up to 195
	Associate Licentiate in Indigenous Medicine	A.L.I.M.	Up to 195
	Associate in Indigenous Medicine	A.I.M.	Up to 195
	Fellow of Indigenous Medicine.	F.I.M.	Up to 195

1	2	3	4
79 Madras Ayurvedic College, Madras	Ayurveda Bhusana.	...	...
	Ayurveda Bhisagwara.	...	...
80 Venkataraman Ayurvedic College, Mylapore, Madras.	Vaidya-Visarada	...	...
81 University of Madras, Madras.	Ayurveda-Shiromani	...	...
82 Board of Examiners in Indigenous Medicine, Govt. of Madras.	Village Vaidya "C" Class	...	...
83 Central Board of Indigenous Medicine Madras.	"B" Class Practitioners	R.M.P. (India).	...
84 Board of Indigenous Medicine, Madras.	Higher Proficiency in Indian Medicine.	H.P.I.M.	..
85 Government College of Indigenous Medicine, Madras.	Graduate of the College of Integrated Medicine	G.C.I.M.	...
	Licentiate in Indigenous Medicine.	L.I.M.	...
	Fellow of Indigenous Medicine.	F.I.M.	...
	Associate of Indigenous Medicine.	A.I.M.	...
	Associate Licentiate in Indigenous Medicine.	A-L.I.M.	...
86 University of Madras,	Ayurveda-Shiromani	...	...
87 Board of Examiners in Indigenous Medicine, Govt. of Madras.	Village Vaidya	...	up to 1955
88 Central Board of Indigenous Medicine, Madras.	"B" Class Practioners	R.I.M.P.	...
Orissa			
89 Ayurvedic Examination Board, Orissa.	Diploma in Ayurvedic Medicine and Surgery	D.A.M.S.	From 1953 to 1962

1	2	3	4
90 Orissa Association of Sanskrit Learning and Culture, Puri.	Ayurveda-Shastri	...	...
	Ayurvedacharya	...	...
Punjab			
91 Faculty of Indian Medicine, Punjab.	Graduate of Ayurvedic Medicine and Surgery Ayurvedacharya	G.A.M.S.	...
92 Sanatan Dharma Premgiri Ayurvedic College, Bhiwani.	Ayurvedacharya	...	...
	Kaviraj	...	...
93 D. A. V. Managing Committee, Amritsar Jullundur.	Vaidya-Vachaspati	...	...
94 Bhupinder Ayurveda College, Patiala.	Ayurvedacharya	...	...
Rajasthan			
95 Faculty of Ayurveda University of Rajasthan, Jaipur.	Ayurvedacharya	...	...
96 Rajasthan Ayurveda Vibhagiya Pariksha Mandal, Ajmer.	Bhishagwara	...	From 1962 to date
	Bhishagacharya	...	Do
97 Rajputana Ayurvedic and Unani Tibbi College, Jaipur.	Bhishagacharya Shiromani	...	From 1951
	Bhishagratna Shastri	...	Do
98 Government Ayurvedic College, Jaipur.	Bhishak	...	...
	Bhishagacharya	...	...
	Bhish-Kala	...	...

1	2	3	4
99 Maharaja College of Ayurved, Jaipur.	Shastra-Acharya	...	...
Uttar Pradesh			
100 Banaras Hindu University, Varanasi.	Ayurvedacharya with Medicine and Surgery	A.M.S.	...
	Ayurvedacharya, Bachelor of Medicine and Surgery	A,B.M.S.	...
	Doctor of Ayurvedic Medicine	D.A.Y.M.	...
	Ayurvedacharya with Modern Medicine and Surgery	A.M.M.S.	...
101 Lucknow University, Lucknow.	Bachelor of Ayurveda with modern Medicine and Surgery.	B. A. M. M.S.	...
102 Ayurveda College, Gurukul University, Kangari (Hardwar).	Ayurveda-Alankara	...	...
103 Gurukul Vidyalaya, Vrindaban.	Ayurved Shiromani	...	...
	Ayurveda-Bhusan	...	...
104 Hindi Sahitya Sammelan, Prayag.	Vaidya Visharad	...	...
	Ayurved-Ratna	...	...
105 Jwalapur Mahavidyalaya, Hardwar.	Ayurved Bhaskar (Jwalapur Centre only).	...	...
106 Board of Indian Medicine, U. P., Lucknow.	Bachelor of Indian Medicine and Surgery.	B.I.M.S.	...
	Diploma in Indian Medicine and Surgery	D.I.M.S.	...
	Ayurvedacharya, Bachelor of Medicine and Surgery.	A.M.B.S.	...
	Bachelor of Ayurvedic Medicine and Surgery	B.A.M.S.	...
	Diploma in Indian Medicine.	D.I.M.	...

1	2	3	4
West Bengal			
107 Shyamadass Vaidya Shastrapeetha Calcutta.		M.A.S.F.	...
108 State Faculty of Ayurvedic Medicine. West Bengal.	Ayurvedatirtha	M.A.S.	...
109 Sanskrit Board, Calcutta.	Ayurveda Teertha	...	...
110 Jamini Bhushan Astanga Ayurvedic Vidyalaya, Calcutta.	Bhishagacharya	M.A.M.S.	From 1920 to 1942
111 J. B. Astarga Ayurvedic Vidyalaya, Calcutta.	Licentiate in Ayurvedic Medicine and Surgery.	L.A.M.S.	Before 1940.
	Bhishgaratna	...	...
	Vaida Shiromani.	M.A.S.F.	...
112 Paschim Banga Ayurveda Parishad, Calcutta.	Member of the Ayurvedic State Faculty.	M.A.S.F.	...

PART II.—UNANI

Andhra

1 Islamia Arabic Tibbi College, Kurnool, A.P.	Tabib-e-Kamil		
2 Nizamia Tibbi, College, Hyderabad.	Bachelor of Unani Medicine and Surgery.	B.U.M.&S.	...
	Tabib-e-Mustand		
	Graduate of the College of Unani Medicine.	G.C U.M	...
Bihar			
3 State Faculty of Ayurvedic and Unani Medicines, Patana, Bihar.	Graduate in Unani Medicine and Surgery.	G.U.MS.	1953 onwards

1	2	3	4
Delhi			
4 Board of Ayurvedic and Unani Systems of Medicine, Delhi.	Bachelor in Indian Medicine and Surgery. Fazil-i tib-e-Jarahat.	B.I.M.S.	1962–63
	(Diploma in Indian Medicine and Surgery) Kamil-i-tib-o-Jarahat.	D.I.M.S.	1956–62
5 Ayurveda and Unani Tibbia College, Delhi.	Fazil-i-tib-o-Jarahat	F.T.J.	Up to 1956
	Kamil-i-tib-o-Jarahat	K.T.J.	Do
6 Jamia-Tibbia, Delhi	Akmal-ul-Hukma	...	Do
	Afzal-ul-Hukma	..	Do
Jammu & Kashmir			
7 Jammu and Kashmir University.	Bachelor of Unani Medicine and Surgery.	B.U.M.S.	...
Madhya Pradesh			
8 Asiphia Tibbia Colelge, Bhopal,	Hakim-Kamil		...
	Tibb-e-Kamil	..	
Maharashtra			
9 Faculty of Ayurvedic and Unani Systems of Medicine, Maharashtra.	Mahir-e-tibb-o-Jarahat	D.U.S.F.	...
10 Board of Examiners in Unani.	Mahir-e-tibb-e-Jarahat	M.T.J.	From 1942 to 1943
Mysore			
11 Board of Studies in Indian Medicine, Mysore, Bangalore.	Tabib-e-Hasziq	...	...
12 Government Ayurvedic and Unani College (College of Indian Medicine), Bangalore.	Tabib-e-Hasziq	...	...

1	2	3	4
13 Central Board of Indian Medicine, Mysore.	Tabib-e-Hasziq	...	...
14 Government Ayurvedic and Unani College, Mysore.	Licentiate in Unani Medicine and gery.	L.U.M.S.	...
15. Government Ayurvedic School, Mysore.	...	U M.S.	...
Madras			
16. Government College of Indigenous Medicine Madras.	Licentiate in Indigenous Medicine.	L.I.M.	...
	Gradu of the College of Integrated M icine.	G.C.I.M.	...
17. Board of Examiners in Indigenous Medicine, Government of Madras.	Villag Vaidya	...	...
18. Central Board of Indigenous Medicine, Madras.	"B" Class Practitioners	R.I.M.P.	...
Panjab			
19. Bhupindra Tibbi College, Patiala.	Fazul-ul-Hukma		
	Hasiq-ul-Hukma		
	Tabib-i-Akmal		
Rajastan			
20. Rajaputana Ayurvedic and Unani Tibbi College; Jaipur.	Amd-Tul-Hukma		
	Tabib-Fazil		

1	2	3	4
Uttar Pradesh			1951
21. Muslim University, Aligarh.	Bachelor of Unani Medicine & Surgery.	B.U.M.S.	...
	Bachelor of Unani Tib & Surgery.	B U.T.S.	...
22. Board of Indian Medicine, U.P., Lucknow.	Faz l-Ut-Tib, Bachelor of Medicine and Surgery.	F.M.B.S.	...
	Diploma in Indigenous Medicine.	D.I.M.	...
	Diploma in Indigenous Medicine & Surgery.	D.I.M.S.	...
	Bachelor of Indian Medicine & Surgery.	B.I.M.S.	...
23. Unani Medical College, Allahabad.	Master of Unani and Master of Surgery.	M.U.M.S	...
24. Takmul-ul-Tib Institution, Lucknow.	Bachelor of Indian Medicine & Surgery.	B.I.M.S. (Unani)	...
25. Tibbia College, Deoband, (Saharanpur)	Bachelor of Tibbi Medicine & Surgery.	B.T.M.S.	
	Bachelor of Indian Medicine & Surgery.	B.I.M.S.	...

THE SECOND SCHEDULE

(*See* section 14)

Recognised medical qualifications in Homoeopathy granted by Universities, Boards or Medical Institutions in India

Name of University, Board or Medical Institution	Recognised medical qualifications	Abbreviation for registration	Remarks.
1	2	3	5
Andhra			
1. The Andhra Boards for Ayurveda and Homoeopathy, Hyderabad, (Andhra Pradesh).	Diploma in Homoeopathic Medicine.	D.H.M.	...
	Diploma in Homoeopathic Medicine and Surgery.	D.H.M.S.	From 1966 onwards
Bihar			
2. The State Board of Homoeopathic System of Medicine, Patna (Bihar).	Diploma in Medicine and Surgery.	D.M.S.	...
	Diploma in Homoeopathic Medicine and Surgery.	D.H.M.S	...
Delhi			
3. The Board of Homoeopathic System of Medicine Delhi.	Diploma in Homoeopathic Science.	D.H.S.	...
	Diploma in Homoeopathic Medicine and Surgery.	D.H.M.S	...
Kerala			
4. The Council of Homoeopathic System of Medicine, Kerala State, Trivandrum.	Diploma in Homoeopathic Medicine.	D.H.M.	...
	Licentiate of Royal College of Homoeopathic Physician.	L.R.C.H.P	Up to 1966-67

1	2	3	4
Madhya Pradesh—			
5. The Board of Homoeopathic and Biochemic Systems of Medicine, Madhya Pradesh, Bhopal.	Diploma in Homoeopathy and Biochemistry.	D.H.B.	...
Maharashtra			
6. The Court of Examiners in Homoeopathy, Bombay, (Maharashtra).	Licentiate of Court of Examiners in Homoeopathy.	L.C.E.H	...
	Fellow of the Court of Examiners in Homoeopathy.	F.C.E.H	...
	Diploma in Homoeopathy and Biochemistry.	D.H.B.	...
Uttar Pradesh			
7. Agra University, Agra	Graduate of Homoeopathic Medicine and Surgery.	G.H.M.S	...
The State Board of Homoeopthic System of Medicine, Lucknow.	Bachelor of Medicine and Surgery.	B.M.S.	...
West Bengal			
8. The Council of Homeopathic Medicine, Calcutta (West Bangal).	Diploma in Medicine and Surgery.	D.M.S.	...
	Bachelor of Homoeopathic Medicine.	B.H.M.	...
	Bachelor of Medicine and Bachelor of Surgery.	B.M.B.S.	...
	Bachelor of Homoeopathic Medicine and Surgery.	B.H.M.S	...
	Master of Homoeopathic Medicine and Surgery.	M.H.M.S	..

THE THIRD SCHEDULE

(*See* Section 15)

Recognised medical qualifications in Indian medicine granted by certain medical institutions before 15th August, 1947 in areas which comprised within India as defined in Government of India Act, 1935

Name of University, Board or Medical Institution	Recognised medical qualifications	Abbreviation for registration	Remarks
1	2	3	4
	PART I—AYURVEDA AND SIDDHA		
1. Dayanand Ayurvedic College, Lahore.	Vaidya Vachaspati	..	Before 1947.
	Vaidya Kaviraj	...	Before 1947.
	Kaviraj	...	Before 1947.
2. Sanatan Dharm Premgiri Ayurvedic College, Lahore	Vaidya Shastri	...	Before 1947.
	PART II—UNANI		
1. The Islami College, Lahore.	Hakim-i-Haziq	...	...
	Zubda-Tul-Hukma	...	..
2. Tibbia College, Lahore.	Jumda-Tul-Hukma	...	..

THE FOURTH SCHEDULE

(*See* Section 16)

Recognised medical qualifications granted by medical institutions in countries with which there is a scheme of reciprocity

Name of University, Board or Medical Institution	Recognised medical qualifications	Abbreviation for registration	Remark
1	2	3	4
	AYURVEDA AND SIDDHA		
Government College of Indigenous Systems of Medicine, Ceylon.	Diploma in Indigenous Medicine & Surgery.	D I.M.S.	...

STATEMENT OF OBJECTS AND REASONS

The question of establishing a statutory composite Central Council for Indian systems of medicine (Ayurveda, Siddha and Unani) and Homoeopathic system of medicine, on the analogy of the Medical Council of India, has been under consideration of the Government of India for some time past.

2. Minimum standards for admission, duration of courses training, details of curricula and syllabi of studies and the title of the degree or diploma vary from State to State and even from Institution to Institution in the same State. A number of committees appointed by the Government of India, to consider the problems relating to the Indian systems of medicine and Homoeopathy, have recommended that a Statutory Central Council on the lines of the Medical Council of India for the modern system of medicine is a prerequisite for the proper growth and development of these systems of medicine.

3. Some States have constituted State Boards or Councils, either by legislation or by executive orders, for the purpose of registration of practitioners in the various systems of Indian medicine and Homoeopathy as well as recognition of qualifications. There is, however, no Central legislation for the regulation of practice or for minimum standards of training and conduct of examinations in these systems of medicine on an all-India basis. In the absence of such legislation, there is no effective control over the large number of unregistered practitioners in these systems.

4. The Central Council of Health at its 13th Meeting in June, 1966 while discussing the policy on Ayurvedic education recommended the setting up of a Central Council for Indian Systems of Medicine to lay down and regulate standards of education and examinations, qualifications and practice in these systems.

5. The main functions of the Central Council would be to evolve uniform standards of education in and the registration of the practitioners of these systems of Indian medicine and Homoeopathy. For this purpose the Central Council will constitute separate committees for Ayurveda, Siddha, Unani and Homoeopathy, consisting of members of the respective systems of medicine to deal with matters pertaining to those systems. The registration of practitioners on the Central Register of Indian Medicine and Homoeopathy will ensure that medicine is not practised by those who are not qualified in these systems, and those who practise observe a code of ethics in the profession.

The Bill is intended to achieve these objects.

NEW DELHI; SATYA NARAYAN SINHA

The 16th December, 1968.

FINANCIAL MEMORANDUM

The scheme of this Bill centres round the registration of practitioners of Indian medicine and Homoeopathy on the Central Register of Indian Medicine and Homoeopathy and maintenance of minimum standards of professional education in these systems of medicine. The establishment of the Central Council of Indian Medicine and Homoeopathy, committees for Ayurveda, Siddha, Unani and Homoeopathy systems of medicine and such other committees as may be necessary has been proposed.

2. Under clause 4 of the Bill, the Central Government will have to conduct elections for constituting the Central Council in accordance with such rules as may be made by it in this behalf. The Central Council is empowered under clause 9 of the Bill to constitute committees for Ayurveda, Siddha, Unani and Homoeopathy to deal with matters relating to Ayurveda, Siddha, Unani and Homoeopathy systems of medicine respectively. Under clause 10, the Central Council may also have to constitute other committes for general or special purposes.

3. Under clause 12,. the Central Council has to appoint a Secretary and such other persons deemed necessary and also, with the previous sanction of the Central Government, fix the remuneration and allowances to be paid the President, Vice-Presidents and members of the Central Council and determine the conditions of service of its employees.

4. Under clauses 19 and 20, the Central Council will have to appoint inspectors and visitors to inspect/visit any medical institution, college, hospital or other institutions where education in Indian medicine and Homoeopathy is given or to attend any examination.

Under clause 23, the Central Council is likely to incur expenditure on the maintenance of the Central Register of Indian Medicine and Homoeopathy.

The setting up of the Central Council of Indian Medicine and Homoeopathy will involve a recurring annual expenditure of Rs. 3.70 lakhs as per details below :—

		Rs.
I.	Income	Nil
II.	*re.*—	
	A. Non-Recurring	Nil
	B. Recurring (per annum)	3,70,000

Pay of Officers and Establishment, Allowances and Honoraria, and Other Charges.

The recurring expenditure is made up of :—

(1) Pay and allowances of Officers and Establishment	1,00,000
(2) Remuneration and allowances (including travelling allowance) to President, Vice-President and members of the Central Council and Chairman, and members of committees	1,50,000
(3) Other Charges, including rent for office building	1,20,000
TOTAL ...	3,70,000

MEMORANDUM REGARDING DELEGATED LEGISLATIO

1. Clause 35 of the Bill empowers the Central Government to make rules to carry out the purposes of this Act. These rules will relate mainly to the conduct of elections of the members of the Central Council of Indian Medicine and Homoeopathy.

2. Clause 36 of the Bill empowers the Central Council of Indian Medicine and Homoeopathy to make regulations not inconsistent with the provisions of the Act or the rules made thereunder, to carry out the purposes of this Act, with the previous sanction of the Central Government. Such regulations may provide, *inter alia*, for the manner of the election of the President and the Vice-Presidents, the management of the property of the Central Council, the resignation of members, the powers and duties of the President and Vice-Presidents, the summoning and holding of meetings of the Central Council and its committees, the functions of the committees, the powers and duties of the Registrar and other employees, the appointment, powers and duties of the inspectors and visitors, minimum s andards of education and examinations, mode of applying for registration on the Central Register, the standrds of professional conduct and etiquette and code of ethics to be observed.

3. The matters in respect of which rules and regulations can be made are generally matters of procedure and administrative detail and it is not practicable to provide for them in the Bill itself. The delegation of legislative power is therefore of a normal character.

S. L. SHAKDHER,

Secretary.

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Explanation.—In this section, "petty transaction" means a transaction in which the total weight of any primary gold, article or ornament which is accepted, bought or otherwise received from the same person in the course of a day, does not exceed twenty-five grammes.".

14. Amendment of section 114.—In section 114 of the principal Act, in sub-section (2), clause (j) shall be re-lettered as clause (k) and before clause (k) as so re-lettered, the following clause shall be inserted, namely :—

"(j) the types or classes of cases in which any authorisation may be made by the Administrator ;".

V. V. GIRI,
Vice-President,
acting as President.

N. D. P. NAMBOODIRIPAD,
Joint Secy. to the Govt. of India.

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